

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

RESIDENTIAL CAPITAL, LLC, *et al.*,

Debtors.

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Case No. 12-12020 (MG)

Chapter 11

Jointly Administered

**ORDER VACATING ORDER SUSTAINING RESCAP BORROWER CLAIMS TRUST'S
OBJECTION TO CLAIM NUMBERS 2769 AND 2772 FILED BY
ALVIN AND SANDRA LABOSTRIE**

The ResCap Borrower Claims Trust (the "Trust") filed an objection (the "Objection," ECF Doc. # 8459) to Claim Numbers 2769 (*see id.* Ex. 1) and 2772 (*see id.* Ex. 2) (Claim Numbers 2769 and 2772 together, the "Claims") filed by Alvin and Sandra LaBostrie (the "LaBostries" or "Claimants"). The Court held a hearing on the Objection on May 14, 2015 (the "Hearing") and took the Objection to the Claims under submission. The LaBostries did not file a response to the Objection or appear at the Hearing. On May 18, 2015, the Court entered an order sustaining the Trust's Objection to the Claims (the "Prior Order," ECF Doc. # 8625). Subsequently, on June 2, 2015, Alvin LaBostrie filed a declaration and accompanying motion indicating that he did not receive timely notice of the Objection because he was away from home during the pendency of the Objection undergoing medical treatment (the "Motion," ECF Doc. # 8795). Alvin LaBostrie requests, by way of his Motion, that the Court vacate its Prior Order and allow the LaBostries time to properly respond to the Trust's Objection. (*Id.* at 2.) On July 8, 2015, the Court entered an order vacating its prior order and re-scheduling a hearing on the Objection for August 6, 2015. (*See* ECF Doc. # 8852.) On July 23, 2015, the LaBostries filed a request to extend their time to respond and to adjourn the hearing on the Objection. (*See* ECF Doc. # 8953.)

NOW, THEREFORE, it is hereby

ORDERED, that the hearing on the Objection is adjourned and re-scheduled for **August 20, 2015 at 10:00 a.m. (Prevailing Easter Time)**; and it is further

ORDERED, that the LaBostries shall file a response to the Objection no later than **5:00 p.m. (Prevailing Eastern Time) on Monday, August 10, 2015**. The LaBostries shall ensure that their response is **received** by the Trust upon that date and time; and it is further

ORDERED, that no further extensions shall be granted by the Court; and it is further

ORDERED, that the Trust may file a reply in support of its Objection, should it deem such a reply necessary, by no later than **5:00 p.m. (Prevailing Eastern Time) on August 17, 2015**; and it is further

ORDERED, that the Trust's counsel must appear in person at the hearing, but that the LaBostries may appear at the hearing by telephone.

IT IS SO ORDERED.

Dated: July 31, 2015
New York, New York

/s/Martin Glenn
MARTIN GLENN
United States Bankruptcy Judge